

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION NO 9991 OF 1999

For Approval and Signature:

Hon'ble MR.JUSTICE A.R.DAVE

1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?

4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder? J

5. Whether it is to be circulated to the Civil Judge? : NO
1 to 5 No

GOVINDBHAI DEVABHAI HARIJAN

Versus

COLLECTOR

Appearance:

MR MRUGEN K PUROHIT for Petitioner

MR UMESH TRIVEDI, AGP, for the Respondents

CORAM : MR.JUSTICE A.R.DAVE

Date of decision: 14/12/1999

ORAL JUDGEMENT

Rule. Service of rule is waived by learned AGP Shri Umesh Trivedi. At the request of the learned advocates, the matter is finally heard today.

It has been submitted by learned advocate Shri

Purohit that the petitioner is in occupation of government land and he has made an application for grant of the land in question to the respondents. The applications which the petitioner has sent to the respondents are forming part of record of Special Civil Application No. 7232/99. It is the grievance of the petitioner that in spite of several applications made to respondents, they have not considered the applications and, therefore, he has prayed that the authorities be directed to consider the applications given by the petitioner as soon as possible with regard to grant of the land in question.

On the other hand, learned AGP Shri Trivedi has submitted that the petitioner has no legal or fundamental right to get government land but he has conceded the fact that if the government authorities are not inclined to grant the land in question in favour of the petitioner, the concerned authorities ought to have given appropriate reply to the petitioner.

Looking to the facts of the case, the respondents are directed to consider the applications given by the petitioner for grant of the land in question. The applications should be considered in accordance with the government policy and in accordance with law. It is hoped that the applications shall be considered by the concerned authority and appropriate reply will be given to the petitioner on or before 30th April, 2000.

The petitioner shall furnish two copies of this petition as well as two copies of Special Civil Application No. 7232/99 which shall be forwarded to each of the respondents alongwith the writ of this court so as to enable the respondents to consider the case of the petitioner.

In view of the above direction, the petition stands disposed of as allowed. Prayer in terms of para 3D is also granted. Rule is made absolute with no order as to costs. Direct service is permitted.